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WHITHAM, CURTIS & CHRISTOFFERSON, P.C.
11491 SUNSET HILLS ROAD
SUITE 340
RESTON VA 20190

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OFFICE OF PETITIONS

In re Application of :
Noah Dan and Damon Anderson :
Application No. 10/617,360 : DECISION ACCORDING STATUS
Filed: July 11, 2003 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 07980001AA :
Title: SYSTEM AND METHOD FOR :
BUILDING CUSTOM APPLICATION ON AN :
APPLICATION SERVER :

This is a decision on the "PETITION UNDER 37 C.F.R. § 1.47(a)," filed Monday, March 15, 2004.

The petition is **GRANTED**.

The above-identified application was filed on July 11, 2003, without an executed oath or declaration. Noah Dan and Damon Anderson were named as joint inventors. Accordingly, on October 14, 2003, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration and a surcharge for its late filing.

In response, rule 47 applicants filed the instant petition (and fee); the late surcharge; and a declaration executed by inventor Dan on behalf of himself and on behalf of non-signing joint inventor Anderson. This response was made timely by an accompanying petition and fee for extension for response within the third month. Rule 47 applicants maintain that status under 37 CFR 1.47 is proper because joint inventor Anderson refuses to join in the application for patent.

By declaration of facts of joint inventor Dan, petitioner has shown that the application papers were presented to inventor Anderson. However, he has refused to sign the declaration. The last known address of inventor Anderson is deemed to be as set forth in the declaration for patent.

The declaration filed March 15, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the

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address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be examined in Technology Center 2171 in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions